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REMARKS

The Official Action dated April 18, 2007 has been received and its contents carefully noted. In view thereof, claim 3 has been amended in order to more clearly define that which Applicants regard as the invention. As previously, claims 1-9 are presently pending in the instant application with claims 1 and 2 being withdrawn from further consideration by the Examiner as being directed to a non-elected invention.

Turning now to the Official Action and particularly page 2 thereof, claims 3-9 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Particularly, the Examiner notes instances in claim 3 where he believes the claim is unclear or elements lack proper antecedent basis. In this regard, as can be seen from the foregoing amendments, independent claim 3 has been amended to overcome those instances of indefiniteness noted by the Examiner. Accordingly, while Applicants believed the claims were definite as previously presented, the foregoing amendments are set forth in order to clarify that intended by Applicants' claimed invention and thus no new matter has been entered and no new issue has been raised with such amendments.

Turning now to paragraph 4 of the Office Action, claims 3, 4, 8 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' admitted prior art in view of U.S. Patent No. 6,779,707 issued to Dracup et al. This rejection is respectfully traversed in that the combination proposed by the Examiner clearly fails to render obvious that which is presently set forth by Applicants' claimed invention.

As the Examiner readily appreciates, the Applicants' admitted prior art discloses a method for fabricating a frame by providing an elongated and curved shaped outer frame which is riveted to a curved inner frame which requires overlapping of portions of the inner

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and outer frames. The Examiner further appreciates that the Applicants' admitted prior art clearly does not teach welding the members by friction stir welding. In an effort to overcome this shortcoming, the Examiner relies on the teachings of Dracup et al. which discloses a method of joining structural parts of an aircraft by using friction stir welding rather than riveting in order to reduce costs. However, as the Examiner can readily appreciate Dracup et al., like Applicants' admitted prior art, overlaps portions of the structural parts in order to carry out such friction welding process.

As can be seen from the foregoing amendments, independent claim 3 has been amended to recite a method of fabricating a frame comprising the steps of preparing an outer frame member of T-shaped section having an extension extending inwardly, the outer frame member being formed to have an elongated shape and being curved, said extension having a top surface, a bottom surface and an inner curved edge surface, preparing an inner frame member having a flat portion abutting against the extension of the outer frame, the inner frame member being formed to have an elongated shape and being curved in accordance with the shape of the longitudinal direction of the outer frame member, said flat portion having an upper surface, a lower surface and an outer curved edge surface; and friction stir welding the outer frame member and the inner frame member along a curve on a seam formed between the outer curved edge surface and the inner curved edge surface with the inner curved edged surface of the extension of the outer frame member abutting against the outer curved edge surface of the flat portion of the inner frame member.

That is, as can be readily appreciated from at least Figs. 1 and 6, it is the edge surface of the inner and outer frame members which are abutted against one another and the outer frame member and inner frame member are not overlapped in anyway with one another. Consequently, because both Applicants' admitted prior art and that of Dracup et al. clearly

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illustrated the structural members being overlapped with one another and adjoined by way of the overlapped surfaces which the inner and outer edge surfaces being remote from one another, it is respectfully submitted that Applicants' claimed invention as set forth in independent claim 3 as well as those claims which depend therefrom clearly distinguishes over the combination proposed by the Examiner and is in proper condition for allowance.

With reference now to page 5 of the Office Action, claims 3-7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,591,499 issued to Lundgren in view of U.S. Patent Publication No. 2003/0226935 to Garret et al. This rejection likewise is respectfully traversed in that the combination proposed by the Examiner neither discloses nor suggests that which is presently set forth by Applicants' claimed invention.

Similar to the discussion set forth hereinabove, both Lundgren and Garret et al. disclose methods of fabricating a frame wherein portions of the frame are overlapped with one another and subsequently welded. As the Examiner appreciates, Lundgren fails to disclose or remotely suggest friction stir welding and relies on the teachings of Garret et al., however, neither Lundgren nor Garret et al. disclose or suggest a method of fabricating a frame wherein the friction stir welding is carried out on the outer frame member and the inner frame member along a curve in a seam formed between the outer curved edge surface and the inner curved edge surface with the inner curved edge surface of the extension of the outer frame member abutting against the outer curved edge surface of the flat portion of the inner frame member as is specifically recited by Applicants' claimed invention. Accordingly, it is respectfully submitted that Applicants' claimed invention as set forth in independent claim 3 as well as those claims which depend therefrom clearly distinguish over the combination of Lundgren in view of Garret et al. as proposed by the Examiner and is in proper condition for allowance.

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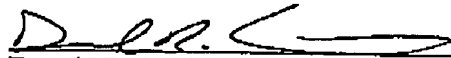
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Therefore, in view of the foregoing it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 3-9 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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